Entered 08/14/20 00:36:19 FIDESc Case 20-10334-TPA Doc 176 Filed 08/13/20 Page 1 of 2

Imaged Certificate of Notice

8/11/20 12:49 pm

IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA CLERK U.S. BANKRUPTCY COURT - WDPA

IN RE:

JOSEPH MARTIN THOMAS Case No. 20-10334-TPA

Debtor Chapter 11

JOSEPH MARTIN THOMAS

v.

Movant

Related to Document No. 148

NO RESPONDENT

ORDER APPROVING RETENTION OF REALTOR/BROKER

AND NOW, this 11th day of August, 20, upon consideration of the Application For Leave To Employ Realtor, it is ORDERED, ADJUDGED and DECREED as follows:

- Mark Hutchison, Coldwell Banker Select, REALTORS, 413 West Plum Street, (1) Edinboro, PA 16412 is hereby appointed, as of the date of filing the Motion, as Realtor for the Debtor in this bankruptcy proceeding pursuant to the terms described in the Listing Agreement attached to the Motion for the purpose of acting as the Movant's agent in connection with the sale of real estate located at 9830 Wattsburg Road, Erie, PA 16509 and Lot 15, Village Common Drive, Erie, PA 16506, Tax Parcel Index No. 33-123-418.0-034.01. A realtor commission in the amount of six (6%) percent on the sale price, half of which is to go to other REALTORS is tentatively approved in regard to the property at 9830 Wattsburg Road and a realtor commission in the amount of six (6%) percent on the sale price, half of which is to go to other REALTORS is tentatively approved, subject to final Court order. Movant shall serve the within Order on all interested parties and file a certificate of service.
- Professional persons or entities performing services in the above case are advised that approval of fees for professional services will be based on other factors as well, including results accomplished, the time and labor reasonably required by the professional to perform the task(s) involved, the customary fee for similar services, the time limitations imposed by the retention or the circumstances encountered while performing the services, the relationship of the services, if any, to the ultimate bid amount for the subject property, and the extent and nature of awards in similar cases. Tentative approval of the commission set forth above is premised on the understanding that the property will be sold at or near the list price as set forth in the *Motion*. Any deviation from the list price will be considered as a factor by the Court in setting final compensation in this matter.
- (3) Approval of any motion for appointment of a professional in which certain fees are requested for various identified professionals is not an agreement by the Court to allow such fees at the requested hourly rates, and is not a preapproval of compensation pursuant to 11 U.S.C. §328(a). Final compensation, awarded only after notice and hearing, may be more or less than the requested amount based on application of the above criteria.
- Notwithstanding anything to the contrary in the letter of engagement or agreement between Movant and the Realtor, this Order does not authorize the Realtor to retain or pay any outside counsel or other professional to assist the Realtor in this matter unless such is done at no expense to Movant, directly or indirectly. Any other retention of, and payment to, an patside counsel or ether professional is subject to prior approval of the Court.

United States Bankruite

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Case 20-10334-TPA Doc 176 Filed 08/13/20 Entered 08/14/20 00:36:19 Desc Imaged Certificate of Notice Page 2 of 2 United States Bankruptcy Court

Western District of Pennsylvania

In re: Joseph Martin Thomas Debtor

Case No. 20-10334-TPA Chapter 11

CERTIFICATE OF NOTICE

District/off: 0315-1 User: culv Page 1 of 1 Date Rcvd: Aug 11, 2020 Form ID: pdf900 Total Noticed: 1

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 13, 2020.

db +Joseph Martin Thomas, c/of Tri-State Pain Institute, 2374 Village Common Drive, Erie, PA 16506-7201

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

TOTAL: 0 NONE.

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 13, 2020 Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 11, 2020 at the address(es) listed below:

Crystal H. Thornton-Illar on behalf of Creditor The Kada Gallery

cThornton-Illar@leechtishman.com,

bankruptcy@leechtishman.com;mproden@leechtishman.com;thornton-illarcr81012@notify.bestcase.com on behalf of Interested Party Tri-State Pain Institute, LLC gskiba@marshlaw.com,

DGeniesse@marshlaw.com;rose227@hotmail.com Guy C. Fustine on behalf of Creditor Official Committee of Unsecured Creditors for Tri-State

Pain Institute, LLC mwernick@kmgslaw.com, knoxbank@hotmail.com,burban@kmgslaw.com, mpol@kmgslaw.com;ecf.alert+Fustine@titlexi.com

PNC BANK NATIONAL ASSOCIATION bkgroup@kmllawgroup.com on behalf of Creditor James Warmbrodt Lauren Michaels on behalf of Creditor Office of Attorney General, Department of Revenue lmichaels@attorneygeneral.gov

Mark G. Claypool on behalf of Creditor Ally Bank serviced by Ally Servicing LLC mclaypool@kmgslaw.com, knoxbank@hotmail.com;chartle@kmgslaw.com;aklus@kmgslaw.com

Michael F.J. Romano on behalf of Creditor TIAA Commercial Finance, Inc. mromano@rgalegal.com,

tyowell@rgalegal.com; jromano@rgalegal.com
Michael P. Kruszewski on behalf of Debtor Joseph Martin Thomas mkruszewski@quinnfirm.com, knottingham@quinnfirm.com;mboni@quinnfirm.com;quinnbankruptcy@gmail.com;mmbquinnbankruptcy@gmail.

com; mtrayer@quinnfirm.com; gbebko@quinnfirm.com Norma Hildenbrand, on Behalf of the United States Trustee by on behalf of U.S. Trustee

Office of the United States Trustee Norma.L.Hildenbrand@usdoj.gov Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov

Salene R.M. Kraemer on behalf of Creditor WELLS FARGO BANK, N.A. skraemer@bernsteinlaw.com, salene@ecf.courtdrive.com

TOTAL: 11